

MINUTES

INDIANA BOARD OF VETERINARY MEDICAL EXAMINERS

JULY 18, 2007

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Dr. Welp called the meeting to order at 9:00 a.m. in the Professional Licensing Agency Conference Room W064, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, and declared a quorum in accordance with Indiana Code § 15-5-1.1-6(c).

Board Members Present:

Ralph Welp, D.V.M. – Chairman
Dawn Frank, D.V.M. – Vice Chairman
Nicholas Pappas, D.V.M.
Robin Waltz, D.V.M.
Patricia Kovach, D.V.M.
Frank Andrew, Consumer Member
James Scott, D.V.M., on behalf of State Veterinarian

Board Members Absent:

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Kristine Yarde, Assistant Board Director, Professional Licensing Agency
Jim Schmidt, Deputy Attorney General, Office of the Attorney General

II. ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda.

FRANK/PAPPAS
Motion carried 6-0-0

III. ADOPTION OF THE MINUTES FROM THE MAY 30, 2007 MEETING OF THE BOARD

A motion was made and seconded to adopt the minutes from the May 30, 2007 meeting of the Board.

FRANK/PAPPAS
Motion carried 6-0-0

IV. APPEARANCES

A. RENEWAL

B. PROBATIONARY

1. **State of Indiana v. Todd Cooney, D.V.M., License No. 24004650A**
Administrative Cause No. 2005 VB 0007

Dr. Cooney appeared before the Board, as requested, for a personal appearance regarding his ongoing probationary status. Dr. Cooney reported no problems; he is in compliance with his probation order and working in Kokomo as a veterinarian in a mixed animal practice. He stated he has also done some spay and neuter work with rescue centers. He has not been using any controlled substances when he works but will be going before the Controlled Substances Advisory Committee soon to try and get back his controlled substance registration and subsequently his DEA registration.

2. **State of Indiana v. Peter L. Johnson, D.V.M., License No. 24003630A**
Administrative Cause No. 2005 VB 0019

Dr. Johnson did not appear and he will be rescheduled for another meeting.

3. **State of Indiana v. Tess Peavy, D.V.M., License No. 24006005A**
Administrative Cause No. 2005 VB 0017

Dr. Peavy failed to appear as requested and her appearance will be rescheduled for the September board meeting. The Board briefly reviewed the letter sent by Dr. Laurie Wright who monitored a clinic done by Dr. Peavy on July 2, 2007.

C. APPLICATIONS

1. **Alexis Schulman, D.V.M.**

Dr. Schulman appeared before the Board, as requested, regarding her application for veterinary licensure. Dr. Schulman was accompanied by Dr. Bernham-McQuillen, the Medical Director of Banfield Pet Hospital where Dr. Schulman is working. The Board questioned Dr. Schulman with regards to the letter they received from the NBVME. Dr. Schulman had been the "owner" of a Yahoo! Study group that was password protected and appeared to contain NAVLE examination content. The study groups were closed after the NBVME began its investigation and Dr. Schulman attended a hearing in December 2006 where she was questioned about her involvement. She and her attorney provided information to support her contention that she did not engage in irregular behavior as defined in the NAVLE Bulletin of Information for Candidates. The NBVME advised they will not be seeking further action but would report this to the state boards where she is applying. Dr. Schulman provided a comprehensive explanation of how the study group was formed and operated and the content that was being discussed. She avowed that approved study questions from various university sites were the only items used and to her knowledge there was no actual NAVLE content posted. The study group was "owned" by her since she created the account but it grew in size and there were numerous chat room discussions.

Board Action: A motion was made and seconded to grant Dr. Schulman veterinary licensure.

KOVACH/ANDREW
Motion carried 5-0-1
Dr. Pappas abstained

2. **Amber Leistner, D.V.M.**

Dr. Leistner appeared before the Board, as requested, regarding her application for veterinary licensure. On her application she answered "yes" to the question asking, "Have you ever been convicted of, pled guilty or nolo contendere to any offense, misdemeanor or felony in any state?" Dr. Leistner told the Board that in June 2000 she received a minor consumption violation. She pleaded no contest and completed six month probation. She advised she has had no trouble since then and intends to practice in Indianapolis.

Board Action: A motion was made and seconded to grant Dr. Leistner veterinary licensure.

PAPPAS/ANDREW
Motion carried 6-0-0

V. ADMINISTRATIVE HEARINGS

- A. State of Indiana v. Cathy Crighton, D.V.M, License No. 24006444A**
Administrative Cause No. 2006 VB 0006
Re: Final Hearing/Settlement

Parties and Counsel Present:

Respondent was not present and was not represented by counsel
Mark Mader, Deputy Attorney General for the State of Indiana
Felicia Warren, Court Reporter

Participating Board Members:

Dr. Welp (Hearing Officer)
Dr. Frank
Dr. Pappas
Dr. Waltz
Dr. Kovach
Mr. Andrew

Case Summary: Since the Respondent and her counsel were not present the State asked the Board to continue the hearing until the September meeting. The State feels that there may have been a problem with her attorney receiving notice of the hearing because his office recently moved. Ms. Vaught told the Board that all certified letters to Dr. Crighton are returned as refused.

Board Action: A motion was made and seconded to continue the hearing until the September 26, 2007 meeting.

WALTZ/FRANK
Motion carried 5-1-0
Dr. Pappas dissented

VI. SETTLEMENT AGREEMENTS

There were no settlement agreements before the Board.

VII. NOTICE OF PROPOSED DEFAULT

There were no Notice of Proposed Default's before the Board.

VIII. DISCUSSION

A. National Board of Veterinary Medical Examiners

The Board took notice of the quarterly newsletter and specifically noted the offices of the NBVME have moved.

B. CVTEA

The Board took notice of the semi-annual report which lists accreditation actions.

IX. APPLICATION REVIEW

A. Endorsement

There were no endorsement applications for the Board to review

B. Examination

There were no examination applications for the Board to review

C. North American Veterinary Licensing Examination (NAVLE)

There were no NAVLE applications for the Board to review

D. Professional Corporation

There were no professional corporation applications for the Board to review

X. PROBATIONARY REPORT

1. Carol Dartz, D.V.M.

Ms. Vaught updated the Board that Dr. Dartz's physician has written a letter stating that he feels she no longer needs to take Antabuse. The drug is an anti-impulsive and he does not feel there is much risk of Dr. Dartz impulsively relapsing. Ms. Vaught explained that the letter is not signed by the physician and was not on letterhead. The Board discussed whether or not her probation order needs to be modified since the last order was modified to include that she take Antabuse. Advisory counsel felt the order does not need to be modified because it says she is to take Antabuse under the direction of her physician and if he is recommending she not take it then that is acceptable. The Board requested that a letter be sent directly to Dr. Mulry for response regarding why there was no further need to continue Antabuse and why she is considered a low risk for an impulsive relapse. Was this based upon Dr. Dartz's compliance with her treatment program or has Dr. Dartz become unable to use Antabuse due to medical reasons?

XI. CONTINUING EDUCATION

A. Boehringer Ingelheim Vetmedica

- 1. Pain Management Techniques in a Multi-Modal World
June 21, 2007**

Indianapolis, Indiana
Hours Granted: 4

B. Elanco Animal Health

1. Veterinary Leadership Program
June 19-21, 2007
Indianapolis, Indiana
Hours Granted: 15.25

C. Indianapolis Veterinary Specialists

1. The Adrenal Gland & You
May 15, 2007
Muncie, Indiana
Hours Granted: Denied- no agenda

D. Indianapolis Veterinary Specialists

1. Hot Stuff: The Febrile Patient
July 17, 2007
Indianapolis, Indiana
Hours Granted: 1
2. Diagnosis and Treatment of Glaucoma: An Introduction to Cyclophotocoagulation
July 10, 2007
Indianapolis, Indiana
Hours Granted: 1
3. The Adrenal Gland and You
May 15, 2007
Muncie, Indiana
Hours Granted: 1

XII. REPORTS

A. Consumer Complaints- Dr. Pappas

Dr. Pappas advised he has reviewed nine (9) complaints and recommended two (2) to be closed; one (1) for further investigation; and five (5) complaints on the same matter were recommended for informal negotiations.

B. Controlled Substances Advisory Committee- Dr. Pappas

Dr. Pappas was not present did not attend the CSAC meeting. He stated that he feels like this is not a commitment he can fully participate in due to his relief work so he asked for another board member to be appointed to the Committee.

Board Action: A motion was made and seconded to name Dr. Kovach to CSAC.

ANDREW/FRANK
Motion carried 6-0-0

C. State Veterinarian's Report- Dr. Scott

Dr. Scott reported this is the first state fair that certificates of inspection are not required. The Board of Animal Health will have a presence there though. Individual county fairs may still require health certificates so people need to be aware of the

rules. There have been some personnel changes, Dr. Johnston is retired from the Swine Health Division, Dr. Deiterlan is resigning his position after sixteen years, and they are still looking to fill the position of the Dairy Division Director. The update on aquaculture is that Viral Hemorrhagic Septicemia (VHS) that was found in fish in several of the great lakes has not spread much so far but the threat is still present.

XIII. OLD/NEW BUSINESS

1. Ms. Vaught explained that the last Wednesday in September 2008 was not available as a meeting date. Several other dates were available. The Board chose Wednesday September 17, 2008.
2. Ms. Vaught reminded the Board that all veterinary licenses and CSR's will expire October 15, 2007 and the renewal notices will be mailed August 15, 2007.
3. Mr. Andrew spoke with Board about wanting stricter ID requirements for equines. Dr. Scott advised him to speak with Dr. Marsh because that issue would be handled through the Board of Animal Health.

XIV. OTHER ITEMS FOR CONSIDERATION

XV. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana Board of Veterinary Medical Examiners adjourned at 12:00 p.m.


Ralph Welp, D.V.M., Chairman

11-18-07
Date


Dawn Frank, D.V.M., Vice Chairman

Date